- JAPS Rec'd PCT/PTO 01 MAR 2008

ATTORNEY'S DOCKET NO.: 062102

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE			DATE: March 1, 2006	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				
INTERN	ATIONAL APPLICATION NO.: PCT/JP2004/012644	INTERNATIONAL FILING DATE: September 1, 2004	PRIORITY DATE CLAIMED: September 2, 2003	
TITLE OF INVENTION: OPERATING SYSTEM OF CONSTRUCTION MACHINERY				
APPLICANT(S) FOR DO/EO/US: Mitsunori MATSUDA et al.				
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
1. 🛛	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.			
2. 🗌	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.			
3. 🖾	This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.			
4. 🛛	The US has been elected (Article 31).			
5. X	A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau). b. ☐ has been transmitted by the International Bureau. c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)			
6. 🗵	An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. \sum is attached hereto. b. \sum has been previously submitted under 35 U.S.C. 154(d)(4).			
7. 🔯	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. \[\] are transmitted herewith (required only if not transmitted by the International Bureau). b. \[\] have been transmitted by the International Bureau. c. \[\] have not been made; however, the time limit for making such amendments has NOT expired. d. \[\] have not been made and will not be made.			
8.	An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9. 🛛	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10. 🗀	An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:				
11. 🛛	An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO/SB/08 and 5 references.			
12. 🛚	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: KOMATSU LTD., Tokyo, Japan. Please publish the assignee data with the application.			
13. 🖾	A preliminary amendment.			
14. 🖾	An Application Data Sheet under 37 C.F.R. 1.76			
15. 🗀	A substitute specification.			
16. 🔲	A change of power of attorney and/or address letter.			
17. 🗀	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.			
18.	A second copy of the published international application under 35 U.S.C. 154(d)(4).			
19. 🗌	A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).			
20. 🗵	Other items or information: 16 sheets of Drawings.			

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INTERNATIONAL APPLICATION NO. DATE: March 1, 2006 U.S. APPLICATION NO (if known) 3 PCT/JP2004/012644 PTO USE ONLY **CALCULATIONS** The following fees are submitted: \$300 \$300.00 21. Basic National Stage Fee 22. National Stage Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 \$200.00 \$200 All other situations National Stage Search Fee 23. \$400.00 Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 \$500 All other situations ENTER APPROPRIATE BASIC FEE AMOUNT = \$900.00 Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). **NUMBER EXTRA RATE CLAIMS** NUMBER FILED X \$ 50.00 16 - 20 =TOTAL X \$ 200.00 INDEPENDENT 3 - 3 =Multiple dependent claims(s) (if applicable) + \$360.00 TOTAL OF ABOVE CALCULATIONS = \$900.00 National Stage Application Size Fee-for each additional 50 sheets that exceeds 100 sheets \$ 250.00. Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28). \$900.00 SUBTOTAL = Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$900.00 TOTAL NATIONAL FEE = Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$ 40.00 \$40.00 per property + \$940.00 TOTAL FEES ENCLOSED = Amount to be: refunded charged a. 🛛 A check in the amount of \$940.00 to cover the above fees is enclosed. (\$300.00 for basic national stage fee; \$400.00 for national stage search fee; \$200.00 for national stage examination fee and \$40.00 for assignment recordation fee). Please charge my Deposit Account No. 50-2866 in the amount of \$_____ to cover the above fees. b. 🔲 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit c. 🛛 Account No. 50-2866. Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be NOTE: filed to request that the application be restored to pending status. WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP Send All Correspondence To: 1250 Connecticut Avenue NW Suite 700 Washington, DC 20036 CUSTOMER NO. 38834 Typed or Printed Name: Stephen G. Adrian Reg. No.: 32,878 March 1, 2006 Signature Date:

SGA/mc